

NFIB
SAFE Trust
Small Business's Free Enterprise Trust



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COMMISSION MAIL ROOM

Nov 4 9 50 AM '97

October 28, 1997

Federal Election Commission
Reports Analysis Division
999 E Street NW
Washington, DC 20463

Attn: Richard Ng

RE: NFIB/SAFE Trust
ID# C00101105
September Monthly Report (1997)

Dear Mr. Ng:

I am in receipt of your letter dated October 8, 1997 pertaining to the disclosure of a returned in-kind contribution from the Snowbarger Committee 1996 general election campaign.

NFIB/SAFE Trust had contracted with a third party agency to produce and buy time for an advertisement advocating the election of Mr. Snowbarger for the 1996 general election. The amount of the time buy and radio production totaled \$4,765 (four thousand sixty-five dollars) and was reported on the NFIB/SAFE Trust FEC disclosure report as an in-kind contribution on October 15, and November 1st, 1996. After the election, it was brought to our attention by our time buying agent that the radio ad produced by NFIB/SAFE TRUST was inadvertently not aired. The individual who was in charge of production at the radio station, suffered an untimely death. Apparently his replacement mistakenly inserted a radio ad produced by Mr. Snowbarger's campaign in lieu of the SAFE TRUST radio spot. The disclaimer notice at the end of the radio spot obviously stated it was paid for by the Snowbarger for Congress Committee, yet the time was paid for by SAFE Trust.

When this came to our attention, we consulted legal counsel who advised an FCC and FEC problem arose due to the fact that the SAFE Trust had purchased the time and the disclaimer notice at the end of the aired radio spot stated it was paid for by Snowbarger for Congress. Upon his advice, NFIB received a refund of the production and time buying funds from our time buyer agent. Based on the refund of that money, SAFE Trust disclosed the return of those production and time buying money's as the return of an in-kind contribution.

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National Federation of Independent Business

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We have notified Mr. Snowbarger of this transaction in order that his campaign could pay the time buyer who in turn would pay the radio station for the air time of the Snowbarger for Congress Committee spot.

This is a rather out of the ordinary type of experience. However, SAFE Trust felt compelled to obtain a refund of the money's for production and air time due to the fact that the spot which had been produced and paid for by SAFE Trust was not run due to production errors by the radio station.

Should you have further questions or comments, please contact me at (202) 554-9000.

Sincerely,


Fred Holladay, Treasurer
NFIB/SAFE Trust

Federal Election Commission

**ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.



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PREPARER

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